

## Department of Justice

## § 17.27

issued based upon classification determinations made by appropriate classification authorities in coordination with the Department Security Officer.

(b) Each classification guide must be approved personally and in writing by the Assistant Attorney General for Administration or an official who:

- (1) Has program or supervisory responsibility over the information; and
- (2) Is authorized to classify information originally at the highest level of classification contained in the guide.

### **§ 17.23 Waiver of classification guide requirements.**

(a) The Attorney General may for good cause grant and revoke waivers for classification guides for specified classes of documents or information. Any waivers granted shall be reported through the Department Security Officer to the Director of the Information Security Oversight Office.

(b) The decision to waive the requirement to issue classification guides will be based, at a minimum, on an evaluation of the following factors:

- (1) The ability to segregate the specified classes of information;
- (2) The impracticality of producing the guide because of the nature of the information;
- (3) The anticipated lack of usage of the guide as a basis for derivative classification; and
- (4) The availability of alternative sources for classifying the information in a uniform manner.

### **§ 17.24 Classification guide components.**

Classification guides shall:

- (a) Identify the information elements to be protected, using categorization and subcategorization to the extent necessary to ensure that the information involved can be readily and uniformly identified.
- (b) State which of the classification designations, i.e., Top Secret, Secret, or Confidential apply to the identified information.
- (c) State the declassification instructions for each element or category of information in terms of a period of time, future event, or a notation that the information shall not be automati-

cally declassified without the approval of the originating agency.

### **§ 17.25 Review of classification guides.**

Classification guides shall be reviewed for currency and accuracy not less than once every two years. If no changes are made, the originator or his representative shall so annotate the record copy and show the date of the review. A listing of all Department classification guides in use shall be maintained by the Department Security Officer.

### **§ 17.26 Emergency classification authority.**

(a) When an employee, contractor, licensee or grantee not authorized to classify National Security Information within the Department originates or develops information which requires immediate classification and safeguarding and no authorized classifier is available, that person shall:

(1) Safeguard the information in the manner prescribed for the intended classification.

(2) Mark the information (or cover sheet if applicable) with the appropriate classification.

(3) Transmit the information within five working days to the organization that has appropriate subject matter interest and classification authority. If it is not clear which organization has classification responsibility for this information, it shall be sent to the Department Security Officer. The Department Security Officer shall determine the organization having primary subject matter interest and forward the information with appropriate recommendations to that organization for a classification determination.

(b) When designating information as classified with such security classification markings, the requirements pertaining to overall classification markings contained in this regulation shall be followed.

(c) The organization with classification authority shall decide within 30 days whether to classify this information.

### **§ 17.27 Emergency action.**

If an emergency requires immediate communication of information believed